

SYLVESTER A. BRADFORD,)	No. C 09-01346 JW (PR)
)	
Plaintiff,)	ORDER SETTING NEW BRIEFING
)	SCHEDULE
vs.)	
)	
)	
DEPUTY ROSSI, et al.,)	
)	
Defendants.)	
)	
)	

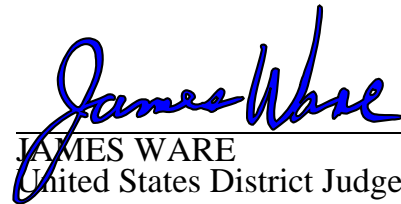
Plaintiff, a California state pretrial detainee at the Contra Costa County Martinez Detention Facility, has filed a pro se civil rights action under 42 U.S.C. § 1983 alleging claims against Contra Costa County Sheriffs Department officials use of excessive force. After screening the complaint, the Court found cognizable plaintiff's claims against defendants Mayette and Rossi and ordered service of the complaint on July 27, 2009. (Docket No. 6.) Defendants were directed therein to file a dispositive motion or notice regarding such motion within sixty days of the order.

On October 9, 2009, defendants via counsel filed notice of their inability to comply with the court's order in the time provided because the service of summons and complaint was not attempted until after expiration of the sixty day time period.

(Docket No. 10.) Counsel requests a new deadline to comply with the court's order of service. Good cause appearing, the request is GRANTED.

Defendants shall file a motion for summary judgment or other dispositive motion with respect to the claims found cognizable in the court's Order of Service, (See Docket No. 6), **no later than January 7, 2010**. Briefing shall proceed thereafter in accordance with the court's Order of Service, and all other provisions therein shall remain in effect. (Id.)

DATED: October 19, 2009


JAMES WARE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

SYLVESTER A. BRADFORD,
Plaintiff,

Case Number: CV09-01346 JW

CERTIFICATE OF SERVICE

v.

DEPUTY ROSSI, et al.,
Defendants.

_____/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 10/26/2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Sylvester A. Bradford CCO9AT829
901 Court Street
Martinez, CA 94553

Dated: 10/26/2009

/s/ Richard W. Wieking, Clerk
By: Elizabeth Garcia, Deputy Clerk